

*Attorneys for Plaintiff/Counter-Defendant  
Aim High Investment Group, LLC*

AIM HIGH INVESTMENT GROUP, ) **Case No.: 2:22-cv-00158-GMN-DJA**  
 LLC, )  
 )  
 Plaintiff/Counter-Defendant, )  
 ) **GILE LAW GROUP LTD.’S EXPEDITED**  
 ) **MOTION TO WITHDRAW AS**  
 v. ) **COUNSEL OF RECORD FOR AIM**  
 ) **HIGH INVESTMENT GROUP, LLC**  
 SPECTRUM LABORATORIES, LLC )  
 )  
 Defendant/Counterclaimant. )  
 )

///

1 This Motion is made and based upon the Memorandum of Points and Authorities below,  
 2 the Declaration of Ryan Gile, Esq. (“Gile Decl.”) attached hereto as **Exhibit A**, and all of the  
 3 papers and pleadings on file herein, along with any oral argument the Court may entertain on this  
 4 matter.

5 Dated: December 8, 2023

6 Respectfully Submitted,

7 **GILE LAW GROUP, LTD.**

8 /s/ Ryan Gile

9 Ryan Gile, Esq.

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15 *Attorneys for Plaintiff/Counter-Defendant*

16 *Aim High Investment Group, LLC*

17 **I. INTRODUCTION**

18 Good cause exists to permit Gile Law Group, Ltd. (“Gile Law Group”) to withdraw as  
 19 counsel of record for Aim High in this action. *See Exhibit A*, Gile Decl., ¶ 3. At the present time,  
 20 Gile Law Group has concluded that continued representation would “result in an unreasonable  
 21 financial burden” on Gile Law Group, thus giving rise to a basis for withdrawal under RPC  
 22 1.16(b)(6). *Id.*, ¶ 4. There is still approx. seven weeks remaining in the fact discovery period and  
 23 expert discovery is not scheduled to begin until May (ECF No. 106), the only tentative depositions  
 24 are scheduled for late January, the Markman Hearing is presently scheduled for late February (ECF  
 25 No. 107), and Aim High is currently represented by other counsel in this case<sup>1</sup>, such that Gile Law  
 26 Group’s withdrawal will not result in any delays under Local Rule IA 11-6. *Id.*, ¶ 6.

27 Accordingly, Gile Law Group hereby moves this Honorable Court for an order granting  
 28 leave to withdraw as counsel of record for Aim High Investment Group, LLC.

<sup>1</sup> Aim High is currently represented in this matter by counsel of record, Dickinson Wright PLC.

1 **II. LEGAL ARGUMENT**

2 **A. Legal Standard**

3 Rule 1.16 of the Nevada Rules of Professional Conduct (“RPC”) governs termination of  
4 a lawyer’s representation of her/his/its client(s), and expressly provides, in relevant part:

5 Rule 1.16. Declining or Terminating Representation.

6 ...

7 (b) Except as stated in paragraph (c), a lawyer *may withdraw* from  
8 representing a client if:

9 (1) Withdrawal can be accomplished without material adverse effect on  
10 the interests of the client;

11 ...

12 (5) The client fails substantially to fulfill an obligation to the lawyer  
13 regarding the lawyer’s services and has been given reasonable warning that the  
14 lawyer will withdraw unless the obligation is fulfilled;

15 (6) *The representation will result in an unreasonable financial burden*  
16 *on the lawyer or has been rendered unreasonably difficult by the client;* or

17 (7) Other good cause for withdrawal exists.

18 (c) A lawyer must comply with applicable law requiring notice to or  
19 permission of a tribunal when terminating representation. When ordered to do so  
20 by a tribunal, a lawyer shall continue representation notwithstanding good cause  
21 for terminating the representation.

22 Similarly, Rule 11-6 of the Local Rules of Practice for the United States District Court  
23 for the District of Nevada (“LR”) governs the procedure to withdraw as counsel of record, and  
24 expressly provides, in relevant part:

25 LR IA 11-6. APPEARANCES, SUBSTITUTIONS, AND WITHDRAWALS

26 ...

27 (b) If an attorney seeks to withdraw after appearing in a case, *the attorney must*  
28 *file a motion or stipulation and serve it on the affected client and opposing*  
*counsel.* The affected client may, but is not required to, file a response to the  
attorney’s motion within 14 days of the filing of the motion, unless the court  
orders otherwise.

...

1 (d) Discharge, withdrawal, or substitution of an attorney will not alone be reason  
2 for delay of pretrial proceedings, discovery, the trial, or any hearing in the case.

3 (e) Except for good cause shown, no withdrawal or substitution will be approved  
4 if it will result in delay of discovery, the trial, or any hearing in the case. Where  
5 delay would result, the papers seeking leave of the court for the withdrawal or  
6 substitution must request specific relief from the scheduled discovery, trial, or  
7 hearing. If a trial setting has been made, an additional copy of the moving papers  
8 must be provided to the clerk for immediate delivery to the assigned district  
9 judge, bankruptcy judge, or magistrate judge.

10 **B. Good Cause Exists to Permit Gile Law Group, Ltd. to Withdraw.**

11 RPC 1.16(b)(6) provides that a lawyer “may withdraw” when continued representation  
12 would result in “unreasonable financial burden on the lawyer.” RPC 1.16(c) provides that a lawyer  
13 must comply with applicable law requiring notice to or permission of a tribunal when terminating  
14 representation. And as set forth above, LR IA 11-6 sets forth the Court’s requirements for  
15 withdrawal. Specifically, subsections (b) and (e) of LR IA 11-6 are relevant to this motion. The  
16 requirements of both subsections are satisfied, and withdrawal should be permitted.

17 In this case, Aim High has not paid Gile Law Group for its services for many months  
18 causing continued representation to be a financial burden. (Gile Decl., ¶ 5). Gile Law Group  
19 informed Aim High that this Motion would be filed based on financial hardship. (*Id.*)

20 The notice requirement of LR IA 11-6 (b) is satisfied because contemporaneously with the  
21 filing of this Motion, opposing counsel and Aim High have each been properly notified of Gile  
22 Law Group’s intent to withdraw, via electronic service of this Motion on opposing counsel and via  
23 both first class mail and email service of this Motion on Aim High. (Gile Decl., ¶7; *see also*  
24 Certificate of Service below).

25 Moreover, withdrawal can be accomplished without a material adverse effect on the  
26 interests of the client as provided under RPC 1.16(b)(1), and, with respect to LR IA 11-6(e), there  
27 will be no “delay of discovery, the trial, or any hearing in the case.” This matter is still in the  
28 discovery phase and there are approximately seven weeks remaining in the fact discovery phase  
and expert discovery is not scheduled to begin until May 30, 2024. (Gile Decl., ¶ 6; *see also* ECF  
No. 106). Expert discovery closes July 29, 2024, with dispositive motions due August 28, 2024.  
(ECF No. 106). The Markman hearing is not scheduled to be held until February 22, 2024 (ECF

No. 107). Spectrum has tentatively scheduled depositions for the week of January 22<sup>nd</sup> – nearly 45 days from the filing of this Motion. (Gile Decl., ¶ 6). Moreover, Aim High is currently represented by another law firm in this matter (Dickinson Wright PLC). (*Id.*).

For these reasons, Gile Law Group’s withdrawal may be accomplished without adversely impacting Aim High’s ability to continue litigating the lawsuit.

### III. CONCLUSION

Based upon the foregoing, good cause exists to permit Gile Law Group to withdraw as counsel of record for Aim High Investment Group, LLC in this action. Continued representation “will result in an unreasonable financial burden on the lawyer” as provided under Nevada Rule of Professional Conduct 1.16. There remains approximately seven weeks in the fact discovery phase, expert discovery is not scheduled to begin until May 30, 2024, the Markman hearing is not scheduled to be held until February 22, 2024, the only tentative depositions are scheduled to be held the week of January 22<sup>nd</sup>, and Aim High continues to be represented by other counsel in this matter, and so withdrawal will not result in any delays under LR IA 11-6.

Accordingly, for the reasons set forth above, Gile Law Group, Ltd. respectfully requests that this Court grant its Expedited Motion to Withdraw as Counsel of Record for Aim High Investment Group, LLC.

Dated: December 8, 2023

Respectfully Submitted,

**GILE LAW GROUP, LTD.**

/s/ Ryan Gile

Ryan Gile, Esq.

Nevada Bar No. 8807

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Las Vegas, Nevada 89144

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*Attorneys for Plaintiff/Counter-Defendant*

*Aim High Investment Group, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on December 8, 2023, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I further certify that a true and correct copy of the foregoing document is being served via transmission of Notices of Electronic Filing generated by CM/ECF to all participants in the case who are registered CM/ECF users.

I hereby further certify that on December 8, 2023, I served a full, true and correct copy of the foregoing document via email and First Class U.S. Mail on Plaintiff/Counter-Defendant Aim High Investment Group, LLC:

Michael Salame, Manager  
Aim High Investment Group, LLC  
4980 Statz St., Unit 120  
N. Las Vegas, NV 89081  
[Michael@highvoltagedetox.com](mailto:Michael@highvoltagedetox.com)

/s/ Ryan Gile  
Employee, Gile Law Group Ltd.